

11-15-02

3763

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Michael S.H. Chu et al.

Serial No.: 09/430,050

Examiner: A. Lam

Filed: October 29, 1999

Group Art Unit: 3763

For: SPLIT VALVE FOR PEEL-AWAY SHEATH

Docket No.: 1001.1258101

TRANSMITTAL SHEET

Box Non-Fee Response  
 Assistant Commissioner for Patents  
 Washington, D.C. 20231

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TECHNOLOGY CENTER R3700

Sir:

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By



Kathleen L. Boekley

We are transmitting herewith the attached:

[ XX ] Response

[ XX ] No additional fee required  
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## CLAIMS AS AMENDED

	(3) REMAINING CLAIMS	(4) HIGHEST PAID	(5) EXTRA	SMALL ENTITY		OTHER	
TOTAL CLAIMS	-	=		X9=	\$	X18=	\$
INDEPENDENT CLAIMS	-	=		X40=	\$	X80=	\$
( ) FIRST MULTIPLE DEPENDENT CLAIM				+135=	\$	+270=	\$
TOTAL				\$		\$	

[ ]

A check in the amount of \$\_\_\_\_\_ is enclosed. Itemization:

Fee Code \_\_\_\_\_ \$

Fee Code \_\_\_\_\_ \$

[ ]

Small entity status of this application under 37 C.F.R. 1.9 and 1.27 has been established by verified statement previously submitted.

[ ]

Other: \_\_\_\_\_.

[XXXX]

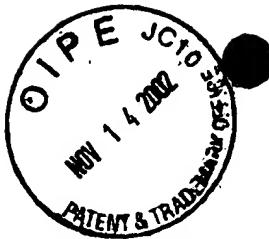
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By: \_\_\_\_\_

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Michael S.H. Chu et al.

Serial No.: 09/430,050

Examiner: Amy Y. Lam

Filed: October 29, 1999

Group Art Unit: 3763

For: SPLIT VALVE FOR PEEL-AWAY SHEATH

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RESPONSE

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By Kathleen L. Boekley  
Kathleen L. Boekley

Dear Sir:

The following comments are presented in response to the Office Action mailed August 14, 2002. Favorable reconsideration is respectfully requested.

REMARKS

Applicants respectfully traverse the Examiner's rejection of claims 1-9, 11-15 and 21 under 35 U.S.C. § 102(e) as anticipated by Heck, U.S. Patent No. 6,083,207. In order to anticipate, the cited reference must disclose each and every element of the claimed invention. Heck fails to do so and thus cannot be considered as anticipating the claimed invention.

Claim 1 was previously amended to require the presence of a compressible valve sleeve that has a proximal end, a distal end and a lumen that is adapted to receive the distal end of a medical device such as a catheter. The proximal end of the compressible valve sleeve extends